IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF DELAWARE

THOMSON REUTE	RS ENTERPRISE)	
CENTRE GMBH and WEST PUBLISHING)	
CORPORATION,)	
)	
)	
	Plaintiffs and)	C.A. No. 20-613 (SB)
	Counterdefendants,)	` '
,)	REDACTED - PUBLIC VERSION
v.)	
)	
ROSS INTELLIGENCE INC.,)	
)	
	Defendant and)	
	Counterclaimant.)	

PLAINTIFFS' RESPONSE TO DEFENDANT'S NOTICE OF SUBSEQUENT DEVELOPMENT (D.I. 472)

OF COUNSEL:

Dale M. Cendali Joshua L. Simmons Eric A. Loverro KIRKLAND & ELLIS LLP 601 Lexington Avenue New York, NY 10022 (212) 446-4800

Miranda D. Means KIRKLAND & ELLIS LLP 200 Clarendon Street Boston, MA 02116 (617) 385-7500

Original Filing Date: May 3, 2023 Redacted Filing Date: May 10, 2023 MORRIS, NICHOLS, ARSHT & TUNNELL LLP Jack B. Blumenfeld (#1014) Michael J. Flynn (#5333) 1201 North Market Street P.O. Box 1347 Wilmington, DE 19899 (302) 658-9200 jblumenfeld@morrisnichols.com mflynn@morrisnichols.com

Attorneys for Plaintiffs Thomson Reuters Enterprise Center GmbH and West Publishing Corporation Plaintiffs Thomson Reuters Enterprise Centre GmbH and West Publishing Corporation (collectively, "Plaintiffs") hereby respond to the Notice of Subsequent Development filed by Defendant ROSS Intelligence Inc ("ROSS") on April 24, 2023. (D.I. 472) (the "Notice").

As explained in Plaintiffs' Motion for Partial Summary Judgment on Fair Use (D.I. 254) and in their Opposition to ROSS's Motion for Summary Judgment on Fair use (D.I. 317), the record in this case clearly shows that LegalEase, at ROSS's instruction and direction, engaged in systematic copying of Plaintiffs' copyrighted materials to develop ROSS's competing legal research product. That copying was carried out by numerous LegalEase and Morae Global employees

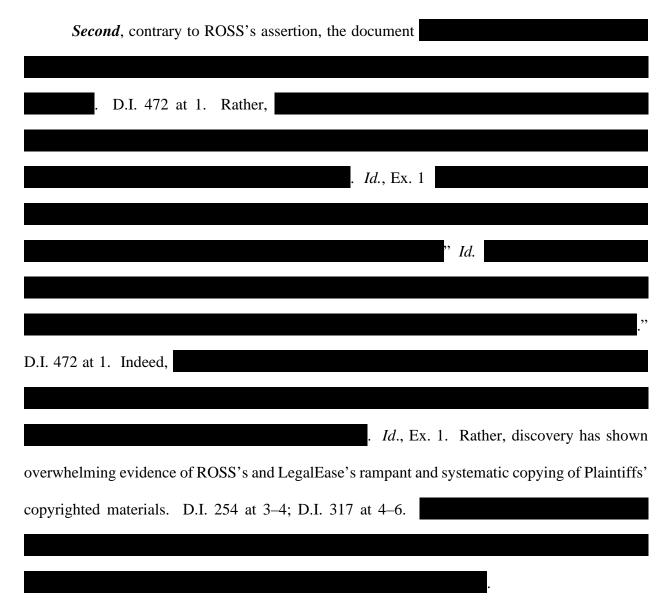
to access and copy copyrighted content from Westlaw systematically over the course of several months. *See*, *e.g.*, D.I. 254 at 3–4; D.I. 317 at 4–6.

Faced with this overwhelming and undisputed evidence, ROSS submitted its Notice in the evident hope of distracting this Court from its unrepentant copying. The Court should disregard ROSS's Notice for two reasons. *First*, the document at Bates No. TRCC-00548958

. As is clear on its face, the document reflects

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. Accordingly, the Court should disregard ROSS's Notice on that basis alone.



Accordingly, the Court should disregard ROSS's Notice in its entirety when considering the parties' fair use motions.

MORRIS, NICHOLS, ARSHT & TUNNELL LLP

/s/ Michael J. Flynn

OF COUNSEL:

Dale M. Cendali Joshua L. Simmons Eric A. Loverro KIRKLAND & ELLIS LLP 601 Lexington Avenue New York, NY 10022 (212) 446-4800

Miranda D. Means KIRKLAND & ELLIS LLP 200 Clarendon Street Boston, MA 02116 (617) 385-7500

May 3, 2023

Jack B. Blumenfeld (#1014)
Michael J. Flynn (#5333)
1201 North Market Street
P.O. Box 1347
Wilmington, DE 19899
(302) 658-9200
jblumenfeld@morrisnichols.com
mflynn@morrisnichols.com

Attorneys for Plaintiffs and Counterdefendants Thomson Reuters Enterprise Centre GmbH and West Publishing Corporation

CERTIFICATE OF SERVICE

I hereby certify that on May 3, 2023, I caused the foregoing to be electronically filed with the Clerk of the Court using CM/ECF, which will send notification of such filing to all registered participants.

I further certify that I caused copies of the foregoing document to be served on May 3, 2023, upon the following in the manner indicated:

David E. Moore, Esquire
Bindu Palapura, Esquire
Andrew L. Brown, Esquire
POTTER ANDERSON & CORROON LLP
Hercules Plaza, 6th Floor
1313 North Market Street
Wilmington, DE 19801
Attorneys for Defendant and Counterclaimant

Mark A. Klapow, Esquire
Lisa Kimmel, Esquire
Crinesha B. Berry, Esquire
CROWELL & MORING LLP
1001 Pennsylvania Avenue NW
Washington, DC 20004
Attorneys for Defendant and Counterclaimant

Gabriel M. Ramsey, Esquire
Jacob Canter, Esquire
Warrington Parker, Esquire
Margaux Poueymirou, Esquire
Anna Z. Saber, Esquire
CROWELL & MORING LLP
3 Embarcadero Center, 26th Floor
San Francisco, CA 94111
Attorneys for Defendant and Counterclaimant

VIA ELECTRONIC MAIL

VIA ELECTRONIC MAIL

VIA ELECTRONIC MAIL

Shira Liu, Esquire CROWELL & MORING LLP 3 Park Plaza, 20th Floor Irvine, CA 92614 Attorneys for Defendant and Counterclaimant VIA ELECTRONIC MAIL

/s/ Michael J. Flynn

Michael J. Flynn (#5333)